

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE UNITED STATES LIFE INSURANCE COMPANY :	
IN THE CITY OF NEW YORK,	Case No. 08 Civ. 1482
	:
Plaintiff,	
	: Hon. Sidney H. Stein
v.	
	:
JORGE LUIS SANTANA, executor for Estate of MARIA	
CORCINO PENA, and FRANCISCO ANTONIO GOMEZ, :	<b><u>STATEMENT OF DAMAGES</u></b>
Defendants.	:
	:
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AMI SHAH, an attorney duly admitted practice law in the United States District Court for the Southern District of New York, declares:

1. I am associated with the law firm of Wilson, Elser, Moskowitz, Edelman & Dicker, LLP, attorneys for plaintiff THE UNITED STATES LIFE INSURANCE COMPANY IN THE CITY OF NEW YORK ("Moving Plaintiff"). As such, I am fully familiar with the facts and circumstances surrounding this matter based upon the records maintained in said office and in the course of the defense thereof.

2. This affirmation is respectfully submitted in support of the moving plaintiff's motion for default judgment which seeks:

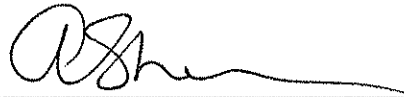
(a) the benefits under the Policy are not payable because there is no due proof of death;

(b) payment under the Policy has not been triggered because there is no due proof of death; and

(c) For such other relief the Court deems proper, just and equitable.

3. The Moving Plaintiff hereby waives his right to recover any costs or disbursements with respect to this matter.

Dated: White Plains, New York  
July 9, 2008



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